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**FACSIMILE TRANSMITTAL SHEET**

Deliver to: USPTO  
Firm Name: USPTO  
Fax Number: 703 872-9306 Telephone No.: \_\_\_\_\_  
From: Garth Vivier  
Date: 08/09/04 Time: 9:00 a.m.  
Operator: Dawn Shaw Matter: 6868P014X5 App. No. 09/810,865  
Number of pages including cover sheet: 34

Message: Per Daryl Forte suggestion I am faxing all information that was filed on 4/28/04 and 5/19/04. File needs to be matched.

**CONFIDENTIALITY NOTE**

The documents accompanying this facsimile transmission contain information from the law firm of Blakely Sokoloff Taylor & Zafman that is confidential or privileged. The information is intended to be for the use of the individual or entity named on this transmission sheet. If you are not the intended recipient, be aware that any disclosure, copying, distribution, or use of the contents of this faxed information is prohibited. If you have received this facsimile in error, please notify us by telephone immediately so that we can arrange for the retrieval of the original documents at no cost to you.

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R E C E I V E D

MAY 28 2004

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
LOS ANGELESApplication No.: 09/810,865 Filing Date: 3/18/2001Docket #: 6858.P014X5Date Mailed: 05-19-04 Due Date(s): \_\_\_\_\_Client: HEALTH HERO NETWORK, INC.Atty/Sec: GXV/dsTitle: Disease Simulation System and MethodFirst Named Inventor: Stephen J. BrownThe following has been received in the U.S.P.T.O. on the date stamped hereon:

Certificate of Mailing

Extension of Time: three (3) months

Fee Transmittal (original &amp; copy)

Information Disclosure Statement &amp; PTO/SB/08 (7 pgs)

Transmittal Letter

Information for Withdrawal of Abandonment (2 pages)

Copies of check nos. 003084 &amp; 3085

Postcard

Assignee: Health Hero Network, Inc.



Docket No.: 6858P014X5

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re the Application of:

STEPHEN J. BROWN

Application No.: 09/810,865

Filed: March 16, 2001

For: Disease Simulation System and Method

Art Group: 2123

Examiner: Phan, Thai Q.

INFORMATION FOR WITHDRAWAL OF ABANDONMENT - PTO HAS NO  
EVIDENCE THAT MAILED CORRESPONDENCE RECEIVEDCommissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## REQUEST

1. Applicant requests that the abandonment in this case be withdrawn.

## PROMPTNESS OF THIS SUBMISSION

This information is being submitted promptly after applicant has learned of the abandonment on the basis of:

- ☒ the Notice of Abandonment mailed by the PTO on 05/03/2004  
☐ applicant's own procedures in monitoring the progress of this case.

## SUBMISSION

2. Submitted herewith is:

*(check and complete each appropriate item below)*

- ☒ A copy of the page of the response mailed/faxed on 04/28/2004  
showing a Certificate of Mailing/Facsimile executed on 04/28/2004.  
☐ A copy of the postcard identifying the papers filed and showing the  
USPTO receipt stamp or the facsimile confirmation dated \_\_\_\_\_

NOTE: "A postcard receipt which itemizes and properly identifies papers which are being filed serves as prima facie evidence of receipt in the PTO of all the items listed thereon on the date stamped thereon by the PTO." § 504, M.P.E.P., 7th Edition.

- ☒ A copy of the complete response(s) previously filed.  
☐ A copy of the cancelled check(s) referring to the response identified above.  
☐ A copy of the attorney's Deposit Account Statement, in which the item corresponding to the response referred to above is noted.

**STATEMENT**

3. Attached hereto is a statement attesting to the timely transmission of the correspondence referred to above based on:

- ☐ personal knowledge  
☒ a showing believed to be satisfactory to the Commissioner

4. Please proceed with further examination of this application on the basis of:

- ☐ The original papers filed, which have now reached the appropriate area of the PTO.

**AND/OR**

- ☒ The attached copy of the papers originally filed.

**REQUEST FOR WITHDRAWAL OF ABANDONMENT**

5. Acknowledgment of the active status of this application is respectfully requested.

Respectfully submitted,

BLAKELY, SOLOZOFF, TAYLOR & ZAFMAN LLP

Date: 05/18/04

Andre L. Marais  
Andre L. Marais, Reg. No. 48,095

12400 Wilshire Boulevard, 7th Floor  
Los Angeles, CA 90025  
Telephone: (408) 947-8200

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dawn Shaw  
Dawn Shaw

5-19-04  
Date

RECEIVED

MAY 07 2004

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP  
LOS ANGELES

Application No.: 09/810,865 Filing Date: 3/16/2001 Docket #: 6858.PC14X5  
Date Mailed: 04/28/2004 Due Date(s): 01/28/2004  
Client: HEALTH HERO NETWORK, INC. Atty/Sec: GXV/ds  
Title: Disease Simulation System and Method

First Named Inventor: Stephen J. Brown*The following has been received in the U.S.P.T.O. on the date stamped hereon:*

Amendment: Response (16 pgs)  
Certificate of Mailing  
Extension of Time: three (3) months  
Fee Transmittal (original & copy)  
Information Disclosure Statement & PTO/SB/08 (7 pgs)  
Transmittal Letter  
Copies of Cited Art (57)  
Check No. in the amount of \$180.00 (003084)  
Check No. in the amount of \$950.00 (003085)  
Postcard



Assignee: Health Hero Network, Inc.

DLAKELT, SUKULOFF, IAYLUK & ZAFMAN, LLP  
 A PARTNERSHIP INCLUDING LAW CORPORATIONS  
 60 SOUTH MARKET STREET, SUITE 510  
 SAN JOSE, CA 95113-2392  
 (408) 947-8200

003084


WELLS FARGO BANK  
 3084  
 11-24  
 121018

April 28, 2004

PAY ONE HUNDRED EIGHTY & NO/100

DOLLARS \$  
 180.00

TO THE  
 ORDER  
 OF  
 Director of the United States  
 Patent & Trademark Office

  
 AUTHORIZED SIGNATURE

⑈003084⑈ ⑆121000248⑆449687845⑈

⑈ THE SECURITY FEATURES ON THIS DOCUMENT INCLUDE A MICRO-PRINT SIGNATURE LINE, REED THRU NUMBERING, A TRUE WATERMARK AND VISIBLE FIBERS.

DETACH AND RETAIN THIS STATEMENT  
 THE ATTACHED CHECK IS PAYMENT FOR FEES DESCRIBED BELOW.  
 IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

Invoice: 04/28/2004 Amount: 180.00  
 005858.0014X5 Health Hero Networks, Inc.  
 CXV/ds  
 Additional claims filing fee  
 Inventor: Stephen J. Brown  
 Title: Disease Simulation System and Method  
 Filing Date: March 16, 2001  
 App. No. 09/810,865

003084

08-09-04

08:10

From-BST&Z SJ-Office Services

408 947 8280

T-834 P.007/034 F-004

SMITH, JONATHAN, MILLER & ZARWANI, LLP  
A PARTNERSHIP INCLUDING LAW CORPORATIONS  
80 SOUTH MARKET STREET, SUITE 510  
SAN JOSE, CA 95113-2362  
(408) 947-8200

UU3085

WELLS FARGO BANK  
3085  
11-24  
121095

Apr 11 28, 2004

PAY NINE HUNDRED FIFTY & NO/100

DOLLARS \$  
950.00

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Director of the United States  
Patent & Trademark Office



AUTHORIZED SIGNATURE

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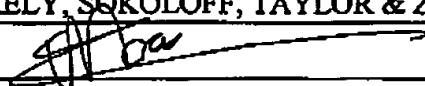
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED BELOW.  
IF NOT CORRECT PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

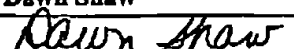
Invoice: 04/28/2004 Amount: 950.00  
0005858.P014X5 Health Hero Networks, Inc.  
GXV/ds  
Extension of Time fee for patent  
Inventor: Stephen J. Brown  
Title: Disease Simulation System and Method  
Filing Date: March 16, 2001  
App. No. 09/010,805

003085

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application No.	09/810,865
		Filing Date	March 16, 2001
		First Named Inventor	Stephen J. Brown
		Art Unit	2123
		Examiner Name	Phan, Thai Q.
Total Number of Pages in This Submission	22	Attorney Docket Number	6858P014X5

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form  <input checked="" type="checkbox"/> Fee Attached  <input checked="" type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input checked="" type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> PTO/SB/08 <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Basic Filing Fee <input type="checkbox"/> Declaration/POA <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s)  <input type="checkbox"/> Licensing-related Papers  <input type="checkbox"/> Petition  <input type="checkbox"/> Petition to Convert a Provisional Application  <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund  <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group  <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences  <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)  <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="border: 1px solid black; padding: 5px; margin-top: 10px;">         Return Postcard          Copies of Cited Art (57)       </div>
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	André L. Marais, Reg. No. 48,095 <b>BLAKELY, SOKOLOFF, TAYLOR &amp; ZAFMAN LLP</b>
Signature	
Date	04/28/04

CERTIFICATE OF MAILING/TRANSMISSION			
I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.			
Typed or printed name	Dawn Shaw		
Signature		Date	4-28-04

Based on PTO/SB/21 (02-04) as modified by Blakely, Sokoloff, Taylor & Zafman (wtr) 02/10/2004.  
 SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



# FEE TRANSMITTAL for FY 2004

Effective 10/01/2004. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

TOTAL AMOUNT OF PAYMENT (\$)

1,130.00

## Complete if Known

Application Number 09/810,865  
 Filing Date March 16, 2001  
 First Named Inventor Stephen J. Brown  
 Examiner Name Phan, Thai Q.  
 Art Unit 2123  
 Attorney Docket No. 6858P014X5

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None  
☐ Deposit Account

Deposit Account Number

02-2666

Deposit Account Name

Blakely, Sokoloff, Taylor &amp; Zafman LLP

The Commissioner is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments  
☒ Charge any additional fee(s) or underpayment of fees as required under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.  
☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	
SUBTOTAL (1)					(5)

## 2. EXTRA CLAIM FEES

Total Claims 30 \* 20 = 10 \* 18.00 = \$180.00  
 Independent Claims 3 \* 5 = 0 \* 86.00 = \$0.00  
 Multiple Dependent

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1202	18	2202	9	Claims in excess of 20	
1201	86	2201	43	Independent claims in excess of 3	
1203	290	2203	145	Multiple Dependent claim, if not paid	
1204	86	2204	43	**Reissue independent claims over original patent	
1205	18	2205	9	**Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(5) 180.00

\*or number previously paid, if greater. For Reissues, see below

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
2053	130	2053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for ex parte reexamination	
1804	920 *	1804	920 *	Requesting publication of SIF prior to Examiner action	
1805	1,840 *	1805	1,840 *	Requesting publication of SIF after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	950.00
1254	1,480	2254	740	Extension for reply within fourth month	
1255	1,210	2255	605	Extension for reply within fifth month	
1404	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	160	1806	160	Submission of Information Disclosure Sum	
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	1809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	
Other fee (specify)					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(5) 850.00

## SUBMITTED BY

Name (Print/Type) André L. Marais

Registration No. (Attorney/Agent)

48,095

Telephone

(408) 947-8200

Signature

Date

04/29/04

Based on PTO/SF-17 (10-03) as modified by Blakely, Sokoloff, Taylor & Zafman (w/r) 02/10/2004.  
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